

SPECIAL BENCH  
COURT - II

**O-201**

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH KOLKATA**

C.P. (IB)/980(KB)2018  
IA(I.B.C)/1166(KB)2023, IA(I.B.C)/466(KB)2020,  
IA(I.B.C)/821(KB)2023, IA(I.B.C)/796(KB)2023,  
IA(I.B.C)/1177(KB)2020, IA(I.B.C)/710(KB)2023,  
IA(I.B.C)/610(KB)2022, IA(I.B.C)/790(KB)2021,  
IA(I.B.C)/326(KB)2021, IA(I.B.C)/613(KB)2020,  
IA(I.B.C)/1307(KB)2020, IA(I.B.C)/438(KB)2020,  
IA(I.B.C)/1481(KB)2023

**CORAM: 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE  
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 30<sup>TH</sup> AUGUST, 2023, 02:00 P.M**

IN THE MATTER OF	UNION BANK OF INDIA VS PKS LIMITED
UNDER SECTION	IBC UNDER SEC 7

**Appearance (via video conferencing/physically)**

Mr. A.K. Agarwal, Adv. ] For the Liquidator

Mr. Jishnu Chowdhury, Adv. ] For the Suspended Board of Directors

Mr. Kuldip Mallik, Adv. ]

Mr. Aritra Basu, Adv. ]

Mr. Souvik Sarma, Adv. ]

Mr. K. Ray, Adv. ] For the Erstwhile RP

**ORDER**

1. Ld. Counsel for the parties present.

**2. IA(I.B.C)/610(KB)2022:**

- a. None appears for the Respondent Nos. 2, 3 & 4. Registry is directed to issue notice to the Respondents Nos. 2, 3 & 4 by way of speed post and by email and place tracking information on record. Reply Affidavit, if any, be filed within a period of two weeks upon receipt of the above notice.
- b. State Bank of India is directed for payments to the erstwhile RP his legitimate dues as directed vide order dated 27.02.2023 and the same has not been paid.

Registry is directed to issue notice to the State Bank of India by way of speed post and by email and place tracking information on record. Pendency of this application will not preclude the State Bank of India to make payments.

c. List the matter on **09.10.2023**.

**3. IA(I.B.C)/1166(KB)2023:**

- a. This is an application for placing on record the Progress Report.
- b. The Progress Report is at page 1 to 6 and this application is supported by an affidavit at page 7 to 8.
- c. The Progress Report is taken on record and accordingly this application is allowed and disposed of.

**4. IA(I.B.C)/821(KB)2023:**

- a. This is an application for placing on record the Progress Report.
- b. The Progress Report is at page 1 to 9 and this application is supported by an affidavit at page 10 to 11.
- c. The Progress Report is taken on record and accordingly this application is allowed and disposed of.

**5. IA(I.B.C)/710(KB)2023:**

- a. Ld. Counsel for the Liquidator / Applicant prayed for impleadment of the name of the Liquidator in place of erstwhile IRP / RP in some IAs where the name of the erstwhile IRP /RP are appearing. Therefore, let the necessary corrections be made by the Liquidator in all the IAs.
- b. List the matter on **09.10.2023**.

**6. IA(I.B.C)/1481(KB)2023:**

- a. **This is an application seeking extension of liquidation period upto 31.03.2024.**
- b. Ld. Counsel for the Liquidator submits that the Liquidation order was passed by this Tribunal on 15.06.2022.
- c. Ld. Counsel for the Liquidator further submits that the Liquidator unfortunately has undergone with some health issues during the liquidation period and the Liquidator has undergone with an operation on 13.07.2023 due to his health issues and the same has prevented him to fulfil his duties and responsibilities as liquidator.

- d. Ld. Counsel for the Liquidator further contended that the last hearing of the applications were made on 21.07.2023 and after that the application were postponed to 30.08.2023.
- e. **In view of the above facts and circumstances and in the interest of justice, we allow the present application and extend the liquidation period upto 31.03.2024.**
- f. The Liquidator shall complete the whole process of liquidation by extended period of time positively.
- g. With the above directions, this application **IA(I.B.C)/1481(KB)2023 allowed and disposed of.**

**7. IA(I.B.C)/1177(KB)2020:**

- a. A last and final chance is given to file Reply Affidavit, if any, within a period of four weeks.
- b. List this matter on **09.10.2023.**

**8. IA(I.B.C)/796(KB)2023:**

- a. In view of the fact that the RP has been replaced and the Liquidator is in place. We feel that this application has already run its course.
- b. Let the rejoinder to the Reply filed in the present application be filed within a period of one week.
- c. List this matter on **09.10.2023.**

**Balraj Joshi**  
**Member (Technical)**

**Bidisha Banerjee**  
**Member (Judicial)**